

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

SONJA R. ERICKSON,
Plaintiff,

versus

BROCK & SCOTT, PLLC,
Defendant.

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Docket No. 2:09-CV-02461

AFFIDAVIT FOR ENTRY OF DEFAULT BY CLERK OF COURT

COMES NOW the undersigned, Richard L. Jackson, and being first duly sworn, avers and says as follows:

1. My name is Richard L. Jackson, and I am counsel of record for the Defendant in this civil action. I make the following declarations of my own personal knowledge, except as to matters set forth upon information and belief, and as to those matters I am informed of them and believe them to be truth.
2. On September 21, 2009, I served a true and complete copy of the Answer, Affirmative Defenses, and Counterclaim in this civil action upon counsel for the Plaintiff by placing the same in First Class U.S. Mail, postage prepaid, and addressed to Plaintiff's counsel at each of his two office addresses reflected upon the Complaint.
3. On October 12, 2009, Plaintiff's counsel filed a Motion to Dismiss the Counterclaim, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.
4. On December 8, 2009, the Court entered an Order, granting in part and denying in part the Plaintiff's Motion to Dismiss the Counterclaim herein; that Order did not contain any provision altering the time within which the Plaintiff was entitled to reply to the Counterclaim.

5. The Defendant has not received service of any further responsive pleading from the Plaintiff, and the docket report does not reflect that any further responsive pleading has been filed by Plaintiff.
6. The time within which the Plaintiff may reply to the Counterclaim has expired, and no reply having been made subsequent to the Court's Order of December 8, 2009, the Plaintiff is now in default, with respect to the Defendant's surviving Counterclaim.

FURTHER AFFIANT SAITH NOT!

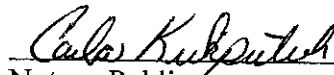
This the 20th day of May, 2010.


BROCK & SCOTT, PLLC

Richard L. Jackson, TN BPR #021211
Counsel for the Defendant

BROCK & SCOTT, PLLC
1315 Westbrook Plaza Drive
Winston-Salem, NC 27103
Telephone: (336) 354-1797
Telefax: (336) 354-1588
Email: richard.jackson@brockandscott.com

Sworn to and Subscribed before me
the 20th day of May, 2010.


Notary-Public
My Comm'n Exp.: 5-3-2014

